

Notice of Allowability

Application No.

10/056,674

Examiner

Raymond J. Bayerl

Applicant(s)

SALMIMAA ET AL.

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to papers filed 18 February 2005.
2. ☒ The allowed claim(s) is/are 1 - 25.
3. ☒ The drawings filed on 14 March 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

RAYMOND J. BAYERL
PRIMARY EXAMINER
ART UNIT 2173

12 May 2005

1. The following is an examiner's statement of reasons for allowance:
2. The Examiner is in general agreement with applicant's remarks concerning the double-patenting rejection in view of US Serial Number 09/966,042, and also those that traverse the Section 103 rejection based upon Dowling et al. (US #6,522,875 B1) and Shulman et al. (US #2001/0030664 A1).
3. During an update search, additional US Patent documents were noted as being generally relevant to applicant's claimed invention, in which messages received at a mobile terminal are divided first into groups on the basis of a first context category, and then sorted according to a second context category within those groups, preparatory to presenting icons on the display representative of the messages.
 - 3.a. The mobile terminal arrangements of Suzuki (US #6,680,675 B1) and Alperovich et al. (US #6,119,014), for example, sort messages for presentation on the basis of the location of the subscriber device. However, these references do not teach or suggest that groups are formed on the basis of such a context variable, and then sub-sorted according to a second context variable.
 - 3.b. While Laitinen et al. (US #2002/0160805 A1) might permit plural constraints to be applied when [t]he user of a mobile terminal enters keywords indicative of categories of messages he wishes to peruse, the matching performed in Laitinen et al. is only at a single level, and does not sort groups into subgroups. In any event, the application of keywords to messages is not in accordance with the "context categories" set forth by applicant, in which a user's context forms the basis for which messages ultimately appear on as icons on the display.

Art Unit: 2173

3.c. The USER INTERFACE AND RULE PROCESSING FOR A PERSONAL COMMUNICATIONS ROUTING SYSTEM as disclosed by Wicks et al. (US #5,796,394) allows for the sorting into user designated message bins, and rules can be predefined to route, screen or otherwise manipulate the messages. However, the secondary application of rules in Wicks et al. does not reasonably read upon the actual use of “a second context category”, when the ultimate result of “representing the icons on the display in accordance with the sorting” is sought. The use of Wicks et al.’s rules is not the employment of a “context category” in the sense intended in applicant’s present disclosure, and thus a sorting according to both a “first” and “second context category” “within each of the groups” is not taught nor suggested. Instead, the rules are principally envisioned in Wicks et al. as corresponding to processes to undertake upon messages such as e-mail, fax and telephone calls, and not the generation of an iconic display representing messages received within a context as in applicant’s claims.


4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Raymond J. Bayerl whose telephone number is (571) 272-4045. The examiner can normally be reached on M - Th from 9:00 AM to 4:00 PM ET.

Art Unit: 2173

6. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca, can be reached on (571) 272-4048. All patent application related correspondence transmitted by FAX **must be directed** to the central FAX number (703) 872-9306.

7. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2100.


RAYMOND J. BAYERL
PRIMARY EXAMINER
ART UNIT 2173
12 May 2005